

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION
CIVIL ACTION NO: 1:16-cv-1174**

**NORTH CAROLINA MUTUAL
LIFE INSURANCE COMPANY, a
North Carolina Corporation,**

Plaintiff,

v.

**STAMFORD BROOK CAPITAL,
LLC, a Delaware limited liability
company, *et al.***

Defendants.

THIRD JOINT MOTION TO EXTEND TIME TO FILE CERTAIN PLEADINGS

The parties, by counsel, set forth the following in support of their third joint motion to extend the time to file certain pleadings in this matter:

1. Plaintiff, North Carolina Mutual Life Insurance Company (“North Carolina Mutual”) filed suit against Defendants Stamford Brook Capital, LLC (“Stamford Brook”), Forefront Capital Holdings, LLC (“Forefront Capital Holdings”) (collectively, Stamford Brook and Forefront Capital Holdings are the “Forefront Entities”), Port Royal Reassurance Company SPC, Ltd. (“Port Royal”), Summit Trust Company (“Summit”), Bradley Reifler (“Reifler”), and Michael Flatley (“Flatley”), alleging various causes of action based on alleged mismanagement and malfeasance relating to the investment of certain Trust Assets under the Trust Agreement dated April 23, 2015.

2. After North Carolina Mutual filed suit against Defendants, North Carolina Mutual filed a Motion for Preliminary Injunction [ECF Nos. 4, 5] requesting entry of an order requiring Defendants to, *inter alia*, provide a full accounting of all Trust Assets, including sufficient documents and information to determine whether the assets are Eligible Assets and/or fully negotiable;

3. North Carolina Mutual also filed a Motion for an Expedited Briefing Schedule and Hearing Date [ECF No. 6–7], which was denied without prejudice on September 30, 2016 [ECF No. 8];

4. On or about October 20, 2016, North Carolina Mutual also filed a Motion to Reconsider the Court’s Order Denying its Motion for an Expedited Briefing Schedule and Hearing Date (the “Motion to Reconsider”) [ECF No. 11], the response to which was due on November 14, 2016; and on or about October 21, 2016, an accompanying Motion to Redact and Seal [ECF Nos. 16, 17], the response to which was due on November 17, 2016;

5. On or about October 26, 2016, Defendants Flatley, Reifler, Forefront Capital Holdings, and Stamford Brook filed a Motion to Dismiss [ECF No. 25, 26], the response to which was due on November 21, 2016; and their Response in Opposition to the Motion for Preliminary Injunction [ECF No. 27], the reply to which was due on November 14, 2016;

6. On or about November 11, 2016, the Parties filed a Joint Motion for Extension of Time to File Certain Pleadings [ECF No. 34], which was granted by the Court on or about November 17, 2016 [ECF No. 36], thereby extending certain deadlines as stated in the November 17, 2016 Order;

7. Also on or about November 11, 2016, the Parties also filed a Second Joint Motion for Extension of Time for Summit to File Responsive Pleadings [ECF No. 35], which was

granted by the Court on or about November 17, 2106, thereby extending the time by which Summit must file responsive pleadings until December 7, 2016 [ECF No. 37].

8. On or about November 30, 2016, the Parties filed a Second Joint Motion for Extension of Time to File Certain Pleadings [ECF No. 38], which was granted by the Court on or about December 5, 2016 [ECF No. 39], thereby extending certain deadlines as stated in the December 5, 2016 Order;

9. The Parties have continued working toward a settlement of the claims in this litigation, and wish to allow additional time to continue with the Accounting and Discovery without the burden of responding and replying to certain pleadings, and to further attempt to reach a settlement of the claims in this litigation.

WHEREFORE, the parties respectfully request that the Court extend the time to file certain pleadings by two additional weeks, as follows:

- The date by which North Carolina Mutual must file its Reply in Support of its Motion for Preliminary Injunction be extended from December 7, 2016 [ECF No. 39] until December 21, 2016
- The date by which the parties must file their Response in Opposition to the Motion to Dismiss be extended from December 7, 2016 [ECF No. 36] until December 21, 2016;
- The date by which Defendants must file their Response in Opposition to the Motion to Reconsider be extended from December 7, 2016 [ECF No. 39] until December 21, 2016; and
- The date by which Summit must file Responsive Pleadings be extended from December 7, 2016 [ECF No. 37] until December 21, 2016.

WILLIAMS MULLEN

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CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of November, 2016, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will send notification of such filing to all counsel of record:

I further certify that I have email and mailed the foregoing document to the following:

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